

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : Michael WHITMAN et al.  
Serial No. : 10/785,672  
Filed : February 23, 2004  
For : SURGICAL CUTTING AND STAPLING METHOD  
Examiner : Gloria Weeks  
Art Unit : 3721  
Confirmation No. : 2683

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT**

S I R:

In response to the Office Action of December 2, 2008, kindly amend the above-captioned application without prejudice as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.